

# EXHIBIT H

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**From:** Nicholas T. Matich <nmatich@McKoolSmith.com>  
**Sent:** Tuesday, February 11, 2025 10:49 AM  
**To:** Schickel, Samoneh  
**Cc:** MD\_Anderson-Alnylam  
**Subject:** RE: Board of Regents v. Alnylam - Civil Action No. 1-24-cv-1524  
**Attachments:** DRAFT Mtn for EOT re MTD & Venue Discovery 4928-6234-8311 v.3.docx

**[ External Email ]**

Hi Sammy,

Per our conversation, please see attached a proposed joint motion.

Best,  
Nick Matich

**McKool Smith**

**Nicholas T. Matich**  
Principal

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**IN THE UNITED STATES DISTRICT COURT  
FOR THE WESTERN DISTRICT OF TEXAS  
AUSTIN DIVISION**

**THE BOARD OF REGENTS OF THE  
UNIVERSITY OF TEXAS SYSTEM**

**Plaintiff,**

**vs.**

**ALNYLAM PHARMACEUTICALS INC. AND  
ALNYLAM U.S., INC.**

**Defendants.**

**Civil Action No. 1:24-cv-1524-DAE**

**JURY TRIAL DEMANDED**

**JOINT MOTION FOR EXTENSIONS OF TIME CONCERNING VENUE DISCOVERY  
AND BRIEFING ON DEFENDANTS' MOTION (ECF NO. 21)**

Plaintiff the Board of Regents of the University of Texas System ("The University of Texas System," "MD Anderson," or "Plaintiff") and Defendants Alnylam Pharmaceuticals Inc. and Alnylam U.S., Inc. (collectively, "Alnylam" or "Defendant") (Plaintiff and Defendant are a "Party" and collectively "the Parties") hereby move to extend the Parties' respective response and reply deadlines regarding Defendants' Motion to Dismiss the Complaint for Improper Venue or in the Alternative Transfer Under Rule 12(b)(3) ("Motion") (ECF No. 21) and to clarify the scope and procedures for venue discovery.

The Parties have met and conferred and agreed to the following regarding venue-related discovery:

1. Each party may propound 7 interrogatories;
2. Each party may take 5 depositions, which may include a Rule 30(b)(6) deposition;
3. The time to respond to any venue-related discovery request is 20 days;
4. The foregoing discovery shall not count toward the Parties' other discovery limits

set forth by the Court, Local Rules, or Federal Rules of Civil Procedure;

5. All venue-related discovery shall be completed by April 16, 2025;

6. If either party believes it needs additional discovery the Parties shall meet and confer; if an impasse is reached the party may move the Court for relief; a brief in opposition to any discovery motion shall be due five (5) days after the filing of the motion; a reply brief shall be due five (5) days after filing of the opposition brief.

7. The briefing deadlines related to Defendants' Motion (ECF No. 21) are modified as follows:

| <b>Event</b>                                 | <b>Date</b>    |
|--|----------------|
| Plaintiff's Opposition to Defendants' Motion | April 30, 2025 |
| Defendants' Reply in Support of its Motion   | May 7, 2025    |

8. No later than fourteen days following the date of this order, Plaintiff shall serve its preliminary patent infringement contentions in the form of claim charts setting forth where in the accused product(s) each element of the asserted claim(s) are found. Plaintiff shall also identify the earliest priority date (i.e., the earliest date of invention) for each asserted claim and produce: (1) all documents evidencing conception and reduction to practice for each claimed invention, and (2) a copy of the file history for each patent in suit; and

9. On or before March 14, 2025, Defendants shall their serve preliminary invalidity contentions in the form of (1) a chart setting forth where in the prior art references each element of the asserted claim(s) are found, (2) an identification of any limitations that Defendants contend are indefinite or lack written description under section 112, and (3) an identification of any claims the Defendants contend are directed to ineligible subject matter under section 101. Defendants shall also produce (1) all prior art referenced in the invalidity contentions, (2) financial data relating to the accused instrumentalities, and (3) technical documents, including software where applicable,

sufficient to show the operation of the accused product(s).

This motion is made before the relevant deadline and is Plaintiff's first request for an extension of time for this pleading. The request is made in good faith and not for the purpose of delay or other improper purpose. Counsel for the Parties have conferred and agree to the above provisions.

A proposed order is attached.

WHEREFORE, Plaintiff respectfully requests that the Court enter an Order (1) granting this Unopposed Joint Motion for Extensions of Time Concerning Venue Discovery and Briefing on Defendants' Motion (ECF No. 21); (2) extending the deadline for Plaintiff to file its brief in opposition from February 19, 2025, to April 30, 2025, (3) extending the deadline for Defendants to file their reply brief from February 26, 2025, to May 7, 2025, and (4) setting the deadline for the parties infringement and invalidity contentions.

Dated: February 26, 2025.

**McKOOL SMITH, P.C.**

/s/ XXXXXX

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